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the selected test point shall be adjusted by the addition of the appropriate deterioration factor. However if the deterioration supplied by the manufacturer is less than zero, it shall be zero for the purposes of this paragraph (c)(3)(v).

(vi) The emission values to compare with the standards (or family emission limits, as appropriate) shall be the adjusted emission values of paragraphs (c)(3)(iii) through (v) of this section, rounded to the same number of significant figures as contained in the applicable standard in accordance with ASTM E29-93a, for each emission data engine. This procedure has been incorporated by reference at § 89.6.

(4) Every test engine of an engine family must comply with all applicable standards (or family emission limits, as appropriate), as determined in paragraph (c)(3)(vi) of this section, before any engine in that family will be certified.

(d) For engine families included in the averaging, banking, and trading program, the families' emission limits (FELs) are used in lieu of the applicable federal emission standard.

(e) For the purposes of setting an NMHC + NO_x certification level or FEL, one of the following options shall be used for the determination of NMHC for an engine family. The manufacturer must declare which option is used in its application for certification of that engine family.

(1) The manufacturer may assume that up to two percent of the measured THC is methane (NMHC = 0.98 × THC).

(2) The manufacturer may measure NMHC emissions using a method approved by the Administrator prior to the start of testing. This option allows the determination of NMHC emissions by subtracting measured methane emissions from measured THC emissions.

[59 FR 31335, June 17, 1994. Redesignated and amended at 63 FR 56995, 57004, Oct. 23, 1998]

§ 89.121 Certificate of conformity effective dates.

The certificate of conformity is valid from the date of issuance by EPA until

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31 December of the model year or calendar year for which it is issued.

[59 FR 31335, June 17, 1994. Redesignated at 63 FR 56995, Oct. 23, 1998]

§ 89.122 Certification.

(a) If, after a review of the manufacturer's application, request for certificate, information obtained from any inspection, and such other information as the Administrator may require, the Administrator determines that the application is complete and that the engine family meets the requirements of this part and the Clean Air Act, the Administrator shall issue a certificate of conformity.

(b) If, after a review of the information described in paragraph (a) of this section, the Administrator determines that the requirements of this part and the Clean Air Act have not been met, the Administrator will deny certification. The Administrator must give a written explanation when certification is denied. The manufacturer may request a hearing on a denial.

[59 FR 31335, June 17, 1994. Redesignated at 63 FR 56995, Oct. 23, 1998]

§ 89.123 Amending the application and certificate of conformity.

(a) The manufacturer of nonroad compression-ignition engines must notify the Administrator when changes to information required to be described in the application for certification are to be made to a product line covered by a certificate of conformity. This notification must include a request to amend the application or the existing certificate of conformity. Except as provided in paragraph (e) of this section, the manufacturer shall not make said changes or produce said engines prior to receiving approval from EPA.

(b) A manufacturer's request to amend the application or the existing certificate of conformity shall include the following information:

(1) A full description of the change to be made in production or of the engine to be added;

(2) Engineering evaluations or data showing that engines as modified or added will comply with all applicable emission standards; and